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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/075,222	02/13/2002	Travis J. Parry	10011315-1	8729

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

MCCLELLAN, JAMES S

ART UNIT PAPER NUMBER

3627

DATE MAILED: 09/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/075,222

Applicant(s)

PARRY, TRAVIS J.

Examiner

James S McClellan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3-7, 11, and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,216,113 (hereinafter “Aikens”).

Regarding **claim 1**, Aikens discloses a system for remotely providing cost accounting with respect to the usage of a machine (printer, fax or other device, see column 2, lines 64-65), said system comprising: memory means for providing an accounting database (17 and 18A; see column 2, lines 28-34); controller means for processing information stored by and retrieved from said database (14, see column 26-27); network means (24; see column 2, lines 44-46) for coupling said machine to said database (17) via said controller (14); interface means (40; see paragraph bridging columns 2-3) coupled to said database (17) via said network (24) for effecting communication therewith, said interface means (40) including an embedded web server (14) for transmitting and receiving said information to and from said database (17); [**claim 3**] said machine is a printing machine (11, see column 2, lines 64-65); [**claim 4**] means disposed at said machine for transmitting information to said database (17) via said controller relating to usage of said machine in connection with a predetermined job (see column 4, lines 43-53);

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[**claim 5**] including an authentication database (see column 2, lines 40-42) operationally coupled to said controller (14); [**claim 6**] said user interface (40) is housed within said machine (see paragraph bridging columns 2-3); and [**claim 7**] said user interface (40) is physically separate from said machine (see paragraph bridging columns 2-3).

Regarding **claim 11**, Aiken discloses a system for remotely providing cost accounting with respect to the usage of a copy, print, or facsimile machine as set forth above in detail for claim 1.

Regarding **claim 12**, Aiken discloses a method for remotely providing cost accounting with respect to the usage of a machine as set forth above in detail for claim 1.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Aiken in view of U.S. Patent No. 3,872,282 (hereinafter "Long").

Aiken discloses all the claimed elements as set forth above but fails to explicitly disclose the use of the system in conjunction with a copy machine. However, Aiken notes that the machine used in the billing system can be various devices including a printer, fax or other device (see column 2, lines 64-65).

Long teaches the use of a copy machine that employs cost control.

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Aiken with an analogous device (copy device) as taught by Long, because it is advantageous for businesses to account for all expenses, including copy services.

5. Claims 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aiken in view of Official Notice.

Aiken fails to explicitly disclose the use of a network that is the Internet, an intranet, or wireless.

The Examiner takes Official Notice that network communication over the Internet, an intranet, and wireless devices was old and well known in the art at the time the invention was made.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Aiken with network communication over the Internet, intranet, or wireless device interface as was well known in the art, because using the Internet or an intranet allows for wide area network communication, wherein broadening the geographic area of communication. Utilizing a wireless interface would have been obvious to one of ordinary skill in the art based on old and well known wireless devices because wireless devices allow the user greater mobility.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

Rice, Jr., Bennett, Simons, and Cuzzo are cited of interest for disclosing systems for monitoring copier/printer usage.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jim McClellan whose telephone number is (703) 305-0212. The examiner can normally be reached on Monday-Friday from 9:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski, can be reached at (703) 308-5183.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

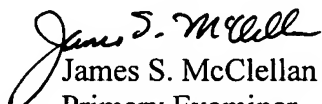
Any response to this action should be mailed to:

Commissioner of Patent and Trademarks
Washington D.C. 20231

or faxed to:

(703) 872-9306 (Official communications) or
(703) 746-3516 (Informal/Draft communications).

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive,
Arlington, VA, 7th floor receptionist.


James S. McClellan
Primary Examiner
A.U. 3627

jsm
September 13, 2004